



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption In Compliance With D.N.J. LBR 9004-1(b)

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Order Filed on May 27, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Case No. 22-11708 CMG

VARUN MALIK,

Judge: Hon. Christine M. Gravelle

Debtor.

Chapter 11

**ORDER ON DEBTOR'S MOTION TO MODIFY FED. R. BANKR. P. 2004 SUBPOENA
ISSUED BY FULTON BANK, N.A. DIRECTED TO VARUN MALIK PURSUANT TO
D.N.J. LBR 2004-1(d) AND 11 U.S.C. § 105(a); ENTERING PROTECTIVE ORDER IN
LIGHT OF THE PENDING PROCEEDINGS; AND OTHER RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) and three (3), is hereby
ORDERED.

DATED: May 27, 2022

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order On Debtor's Motion To Modify Fed. R. Bankr. P. 2004 Subpoena Issued By Fulton Bank, N.A. Directed To Varun Malik Pursuant To D.N.J. LBR 2004-1(d) And 11 U.S.C. § 105(a); Entering Protective Order In Light Of The Pending Proceedings; And Other Related Relief

This matter having been opened to the Court by Varun Malik (the "Debtor"), by and through his counsel, Middlebrooks Shapiro, P.C., in the above-captioned bankruptcy case (the "Bankruptcy Case"), on the Debtor's Motion for Order Modifying Fed. R. Bankr. P. 2004 Subpoena Issued By Fulton Bank, N.A. Directed To Varun Malik Pursuant To D.N.J. LBR 2004-1(d) And 11 U.S.C. § 105(a); Entering Protective Order In Light Of The Pending Proceedings; And Other Related Relief (the "Motion"); and good and sufficient notice of the Motion having been provided; and the Court having considered the moving papers and the opposition filed by Fulton Bank, N.A. (the "Fulton Bank"), by and through its counsel, Duane Morris LLP, and the arguments of counsel; and the Court having determined that good cause exists for the entry of this Order,

IT IS ORDERED as follows:

1. The Motion be and hereby is GRANTED to the extent set forth below.
2. The Debtor shall produce to Fulton Bank's counsel all documents set forth on Exhibit A attached hereto (the "Documents") two (2) weeks from the entry date of the within Order.
3. The Debtor shall appear for a 2004 examination at the Newark office of Duane Morris LLP on a mutually acceptable date, but no later than four (4) weeks from the entry date of the within Order (the "Examination").
4. The Debtor shall appear in-person at the Newark office of Duane Morris LLP for at least four (4) hours of the first day of the Examination and, if requested, may appear for the

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Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order On Debtor's Motion To Modify Fed. R. Bankr. P. 2004 Subpoena Issued By Fulton Bank, N.A. Directed To Varun Malik Pursuant To D.N.J. LBR 2004-1(d) And 11 U.S.C. § 105(a); Entering Protective Order In Light Of The Pending Proceedings; And Other Related Relief

second four (4) hours of the first day remotely via Zoom and/or other audio-video conferencing methods.

5. In the event that the Examination is to continue for more than one (1) eight (8) hour day, whether by agreement of the Debtor and Fulton Bank or as directed by the Court, then such continuation will be conducted remotely via Zoom and/or other audio-video conferencing methods.

6. The Debtor's counsel and other parties in interest are not required to appear at the Examination in-person and may appear remotely via Zoom and/or other audio-video conferencing methods.

7. Any discovery produced in connection with the Examination, including but not limited to the Documents, shall not be used by Fulton Bank or any third party in any case or action except for the instant Bankruptcy Case without further Order from this Court.

EXHIBIT A

RIDER

- 1 Tax Returns for years: 2018, 2019, 2020 and 2021;
- 2 Bank Statements for years 2018, 2019, 2020, 2021 and 2022, including your bank accounts, if any, with Citibank, Habib American Bank, Amboy Bank;
- 3 Copies of documents relating to the sale, transfer, purchase or acquisition of your ownership or any other type of interest you may have in any real estate, stock or other type of ownership interest, including with respect to HLM Koncept LLC, 44 Denise Drive, Edison, NJ, 1 Skytop Road, Edison, NJ, 21 Maida Road, Edison, NJ, RDM Concepts Holdings, Inc., 21 Model Town, Panipat, India, Malik Fabrics Private Limited;
- 4 Copies of any personal financial statements provided to any persons during the years 2018, 2019, 2020, 2021 and 2022; and,
- 5 Copies of any loan applications loan documents or guarantees in which you were a party to during the years 2019, 2020 and 2021, including U.S. Small Business Administration, TD Bank and HSBC.